

IN THE UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MISSOURI
EASTERN DIVISION

JOHN DOE

Plaintiff

V.

LESLIE SUTTON

Defendant

Case No. 4:23-cv-01312-SEP

MOTION TO FOR LEAVE TO FILE FIRST AMENDED COMPLAINT

COMES NOW Plaintiff John Doe, along with respective counsel, and respectfully moves the Court to GRANT leave to file Plaintiff's First Amended Complaint.

Rule 15 provides that “a party may amend its pleading [with] the court’s leave” and that “[t]he court should freely give leave when justice so requires.” Fed. R. Civ. P. 15(a)(2). Plaintiff Doe still intends to proceed under pseudonym. However, Plaintiff seeks to assert an additional count under 15 U.S.C. § 6851, which provides a federal civil cause of action for individuals (or their legal guardian or representative) whose intimate visual images are disclosed in or affecting interstate or foreign commerce without their consent.

Allowing Plaintiff to file the Amended Complaint would serve justice and promote judicial efficiency. Further, there would be no substantial or undue prejudice, bad faith, undue delay, or futility, since Plaintiff has already been ordered by this Court to file a request for leave to proceed under pseudonym no later than Friday, November 3, 2023, or in the alternative, file an amended complaint, identifying the real party in interest, no later than Friday, November 3, 2023.

For all these reasons, as well as those included in the Motion for Leave to Proceed Under Pseudonym, Plaintiff Doe respectfully request that the Court GRANT Plaintiff's leave to file the attached Amended Complaint.

Respectfully submitted,

OTT LAW FIRM

A handwritten signature in blue ink, appearing to read "Joseph A. Ott", with a stylized flourish at the end.

Joseph A. Ott, #67889

A handwritten signature in blue ink, appearing to read "Mark Edward Blankenship Jr.", with a stylized flourish at the end.

Mark E. Blankenship Jr., #73123

3544 Oxford Blvd
Maplewood, MO 63143
Telephone: (314) 293-3756
Facsimile: (314) 689-0080
joe@ott.law
mark@ott.law
Attorneys for Plaintiff